

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA

Roger O'Neill Bostick,)	Civil Action No. 8:07-727-JFA-BHH
)	
Petitioner,)	
vs.)	ORDER
)	
Warden of Broad River Correctional)	
Institution,)	
)	
Respondent.)	
_____)	


This matter is on remand from the United States Court of Appeals for the Fourth Circuit. On December 17, 2009, the Fourth Circuit reversed this court's prior decision denying the petition for writ of habeas corpus and remanded this case with instructions to grant Mr. Bostick's writ of habeas corpus and order him released from prison unless the State of South Carolina grants him a direct appeal within a reasonable time. *See Bostick v. Stevenson*, No. 08-3661 (4th Cir. Dec. 17, 2009).

Accordingly, pursuant to the Fourth Circuit's decision and its mandate filed January 25, 2010, this court orders that the petition for writ of habeas corpus is granted. The State of South Carolina shall grant Mr. Bostick a direct appeal no later than May 1, 2010 or he shall be released from prison pursuant to the Fourth Circuit mandate.

The Clerk is directed to forward a copy of this order to the South Carolina Court of Appeals.

IT IS SO ORDERED.

January 25, 2010
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge